

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

LEE RONALD STEVENSON,

Petitioner,

v.

**Civil action no. 1:06CV92
Criminal action no. 1:03CR46
(Judge Stamp)**

UNITED STATES OF AMERICA,

Respondent.

**ORDER VACATING
REPORT AND RECOMMENDATION
AND CORRECTED REPORT AND RECOMMENDATION**

The Report and Recommendation entered July 12, 2007, and the Corrected Report and Recommendation entered July 17, 2007, are inaccurate. According to the Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, petitioner filed a writ of certiorari to the Supreme Court of the United States, which was denied May 31, 2005, although this does not appear on the docket sheet report. Because the Report and Recommendation and the Corrected Report and Recommendation are inaccurate, they are hereby VACATED.

IT IS SO ORDERED.

The Clerk is directed to transmit copies of this Order to the *pro se* Petitioner, the United States Attorney for the Northern District of West Virginia both by email and hard copy addressed to Robert H. McWilliams, Jr., U.S. Attorney's Office, P.O. Box 591, Wheeling, WV, 26003, and the United States Probation Office for the Northern District of West Virginia.

DATED: July 18, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE